

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD  
MONDAY, APRIL 7, 2003 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Chairperson Cook; Council Members: Camp, McRoy, Seng, Svoboda, Werner, Joan Ross, City Clerk. Council Member Friendt arrived at 1:36 p.m.

Council Chair asked all present to stand and recite the Pledge of Allegiance and reflect for a moment of silent meditation.

**READING OF THE MINUTES**

SENG Having been appointed to read the minutes of the City Council proceedings of March 31, 2003, reported having done so, found same correct.

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

**PUBLIC HEARING**

MANAGER APPLICATION OF SCOTT A. SCHLATTER FOR HYVEE INC. DBA "HYVEE #5" AT 7151 STACY LANE - Scott Schlatter, 7152 Stacy Lane, took oath & came forward to answer any questions.

Terry Werner, Council Member, asked how the cashiers were trained in selling alcohol.

Mr. Schlatter stated that they have a training procedure they go through and also when a customer attempts to purchase the alcohol the cashier can key in the ID number and the date of birth and depending on whether they are legal or not it will allow it to proceed or not.

This matter was taken under advisement.

CHANGE OF ZONE 3397 - APPLICATION OF THE NEAR SOUTH NEIGHBORHOOD ASSOCIATION FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL TO R-2 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT S. 24TH STREET TO S. 26TH STREET, FROM SOUTH STREET TO SUMNER STREET, CONSISTING OF APPROXIMATELY NINE BLOCKS IN THE FRANKLIN HEIGHTS LOCAL LANDMARK DISTRICT - Steve Henrichsen, Planning Dept., came forward, substituting for Ed Zimmer, to present slides of the historical housing in Franklin Heights neighborhood.

Dallas Jones, 1900 S. 25<sup>th</sup> Street, came forward representing the Near South Neighborhood. Many of the houses in this neighborhood are being converted from multi-use to single-family. He stated 96% of the neighbors contacted in person or in writing were in favor of this ordinance. This list was placed on file. He is in support. Discussion followed.

John Spomer, 1826 S. 26<sup>th</sup> Street, came forward in support.

Patricia Williams, 1810 S. 25<sup>th</sup> St., came forward in support.

John Mercier, 1930 B Street, came forward in support.

Cindy Maw, 1843 S. 24<sup>th</sup> Street, came forward in support.

Glenn Friendt, Council Member, asked how properties outside of this zoning would fall in this zoning? Are they grandfathered in?

Mr. Henrichsen stated that most of the properties would be non-standard which would allow them to be rebuilt and does not require a special permit.

This matter was taken under advisement.

APPROVING A GOLF LICENSE AGREEMENT BETWEEN THE CITY AND JOHN O. CRAW FOR PROFESSIONAL GOLF SERVICES AT HOLMES GOLF COURSE AND CLUBHOUSE FOR A PERIOD FROM MAY 1, 2003 THROUGH APRIL 30, 2006 - John Craw, no address given, came forward to answer any questions.

This matter was taken under advisement.

APPROVING A GOLF LICENSE AGREEMENT BETWEEN THE CITY AND CORY FLETCHER FOR PROFESSIONAL GOLF SERVICES AT MAHONEY GOLF COURSE AND CLUBHOUSE FOR A PERIOD FROM MAY 1, 2003 THROUGH APRIL 30, 2006 - Cory Fletcher, no address given, came forward to answer any questions.

This matter was taken under advisement.

AMENDING THE MAYOR'S AWARD OF EXCELLENCE POLICY TO CHANGE THE LANGUAGE UNDER NOMINATION PROCEDURE AND NOMINATION CRITERIA; TO INCLUDE CLARIFICATION

OF TEAM WINNERS FOR MONTHLY AND ANNUAL AWARDS; AND TO CHANGE THE LANGUAGE UNDER MAYOR'S AWARD OF EXCELLENCE COMMITTEE - Georgia Glass, Personnel Director, came forward to clarify on page 7 of the ordinance under the nomination process that the nomination forms are now on the intranet, and also, to explain how the team money is handled. The money from the Savings Bonds awarded to the employees come out of the individual departments so a team will be limited to five or less. If a team selected does have more than five members they will not receive a monetary reward, but will still receive the day off and the plaque.

This matter was taken under advisement.

SPECIAL PERMIT 1672A - APPLICATION OF SPRINT PCS TO WAIVE THE LANDSCAPE REQUIREMENT ON THE NORTH AND EAST SIDES OF A BROADCAST TOWER AT THE NORTH FORTY GOLF COURSE, ON PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF NORTH 84TH STREET AND ADAMS STREET - Brian Will, came forward to answer questions.

Jonathan Cook, Council Member, asked since this landscaping is being waived in this particular spot will it be put in an alternative location?

Mr. Will said that the landscaping is being relocated to a different site where more landscaping is being provided.

This matter was taken under advisement.

APPLICATION OF ST. THOMAS AQUINAS CHURCH/NEWMAN CENTER FOR ONE RAFFLE AND FIVE LOTTERY PERMITS FOR THE FOLLOWING TIMES: JUNE 1, 2003 TO AUGUST 31, 2003 (RAFFLE); OCTOBER 1, 2003 TO OCTOBER 31, 2003; NOVEMBER 1, 2003 TO NOVEMBER 30, 2003; DECEMBER 1, 2003 TO DECEMBER 31, 2003; JANUARY 1, 2004 TO JANUARY 31, 2004; FEBRUARY 1, 2004 TO FEBRUARY 28, 2004; (LOTTERIES) - Annette McRoy, Council Member, questioned the dates for January & February 2004.

Dana Roper, City Attorney, stated that is what the applicant is asking for.

Ms. McRoy asked if it is already approved and then something happened & the City didn't want them to do anymore could anything be done.

Mr. Roper answered that it is somewhat more difficult to undo, but it can be done if there is a valid, substantial reason.

This matter was taken under advisement.

#### MISCELLANEOUS BUSINESS

Lois Newman, no address given, expressed her displeasure of the Lincoln Neighborhood Alliance airing their grades of the candidates of the upcoming election.

This matter was taken under advisement.

**\*\* END OF PUBLIC HEARING \*\***

### COUNCIL ACTION

#### LIQUOR RESOLUTIONS

MANAGER APPLICATION OF SCOTT A. SCHLATTER FOR HYVEE INC. DBA "HYVEE #5" AT 7151 STACY LANE - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-82025 WHEREAS, HyVee Inc. dba "HyVee #5" located at 7151 Stacy Lane, Lincoln, Nebraska has been approved for a Retail Class "DK" liquor license, and now requests that Scott A. Schlatter be named manager;

WHEREAS, Scott A. Schlatter appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Scott A. Schlatter be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

**ORDINANCES - 2ND READING**

APPROVING A CONTRACT BETWEEN THE CITY AND THE LINCOLN HAYMARKET DEVELOPMENT CORP. TO OPERATE AND REGULATE A SATURDAY PUBLIC MARKET IN THE HAYMARKET AREA FROM MAY 3, 2003, THROUGH OCTOBER 25, 2003 - CLERK read an ordinance, introduced by Jon Camp, accepting and approving the Contract between the City of Lincoln, Nebraska, a municipal corporation, and the Lincoln Haymarket Development Corporation for establishment and regulation of a Saturday public market in the Haymarket area from May 3, 2003 through October 25, 2003, and authorizing the Mayor to sign such Contract on behalf of the City, the second time.

APPROVING A CONTRACT BETWEEN THE CITY AND THE DOWNTOWN LINCOLN ASSOCIATION TO OPERATE AND REGULATE A TUESDAY OPEN-AIR MARKET IN THE AREA OF 12TH STREET FROM Q TO R STREETS AND R STREET FROM 12TH TO 13TH STREETS FROM JUNE 3, 2003 THROUGH JUNE 24, 2003 - CLERK read an ordinance, introduced by Jon Camp, accepting and approving the Contract between the City of Lincoln, Nebraska and Downtown Lincoln Association for establishment and regulation of a Tuesday public market in the area of 12<sup>th</sup> Street from Q to R Streets and R Street from 12<sup>th</sup> to 13<sup>th</sup> Streets from June 3, 2003 through June 24, 2003, and authorizing the Mayor to sign such Contract on behalf of the City, the second time.

CHANGE OF ZONE 3397 - APPLICATION OF THE NEAR SOUTH NEIGHBORHOOD ASSOCIATION FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL TO R-2 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT S. 24TH STREET TO S. 26TH STREET, FROM SOUTH STREET TO SUMNER STREET, CONSISTING OF APPROXIMATELY NINE BLOCKS IN THE FRANKLIN HEIGHTS LOCAL LANDMARK DISTRICT - Clerk read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

AMENDING TITLE 6 OF THE LINCOLN MUNICIPAL CODE RELATING TO ANIMALS TO SET MINIMUM PENALTIES FOR VIOLATIONS OF RABIES VACCINATION REQUIREMENTS FOR DOGS; TO INCREASE LICENSE FEES FOR DOGS; TO INCREASE REGISTRATION FEES FOR DANGEROUS AND POTENTIALLY DANGEROUS DOGS; TO SET MINIMUM PENALTIES FOR VIOLATIONS OF RABIES VACCINATION REQUIREMENTS FOR CATS; AND TO INCREASE LICENSE FEES FOR CATS - Clerk read an ordinance, introduced by Jon Camp, amending Title 6 of the Lincoln Municipal Code relating to Animals, by amending Section 6.08.020 to set minimum penalties for violations of rabies vaccination requirements for dogs; amending Section 6.08.060 to increase license fees for dogs due to increased administrative costs; amending Section 6.10.040 to increase registration fees for dangerous and potentially dangerous dogs due to increased administrative costs; amending Section 6.10.100 to refer to definitions in Chapter 6.02; amending Section 6.12.020 to set minimum penalties for violations of rabies vaccination requirements for cats; amending Section 6.12.120 to increase license fees for cats due to increased administrative costs; and repealing sections 6.08.020, 6.08.060, 6.10.040, 6.10.100, 6.12.020, and 6.12.120 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING CHAPTER 10.16 OF THE LINCOLN MUNICIPAL CODE TO CHANGE THE PENALTY PROVISIONS FOR SECOND OFFENSE DWI AND BY ADDING A NEW SECTION RELATING TO RESTRICTIONS ON MOTOR VEHICLES OWNED BY PERSONS CONVICTED OF A SECOND VIOLATION OF LMC SECTION 10.16.030 OR 10.16.040 - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 10.16 of the Lincoln Municipal Code by amending Section 10.16.030 to change the penalty

provisions for second offense DWI; by adding a new Section 10.16.045 relating to restrictions on motor vehicles; and repealing Section 10.16.030 of the Lincoln Municipal Code as hitherto existing, the second time.

#### RESOLUTIONS

APPROVING APPROPRIATIONS IN THE AMOUNT OF \$32,000 FROM THE OPERATION OF KENO LOTTERY FOR VARIOUS HUMAN SERVICES - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-82026 WHEREAS, Resolution No. A-75378 provides that five percent of the gross proceeds realized by the City of Lincoln from the operation of a keno lottery shall be designated for such human services as may be recommended and approved by the Joint Budget Committee, City Council and Lancaster Board of Commissioners; and

WHEREAS, the Joint Budget Committee has recommended that the City Council and Lancaster County Board of Commissioners approve the designation of \$32,000 from said gross funds for the human services listed in Attachment "A" (Keno Prevention Fund Round 18) attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

The designation of the \$32,000 from gross funds from the operation of keno lottery for the human services listed in Attachment "A" is hereby approved and the Mayor is authorized to enter into grant contracts with Lancaster County, Nebraska and the respective agencies providing said human services.

Introduced by Glenn Friendt

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING A GOLF LICENSE AGREEMENT BETWEEN THE CITY AND JOHN O. CRAW FOR PROFESSIONAL GOLF SERVICES AT HOLMES GOLF COURSE AND CLUBHOUSE FOR A PERIOD FROM MAY 1, 2003 THROUGH APRIL 30, 2006 - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-82027 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the license agreement which is attached hereto, marked as Attachment "A" and made a part hereof by reference, under which John O. Craw is granted the privilege of operating all business concessions and rendering professional golf services at Holmes Golf Course and Clubhouse for a three year period from May 1, 2003 through April 30, 2006, is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute said license agreement on behalf of the City.

Introduced by Glenn Friendt

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING A GOLF LICENSE AGREEMENT BETWEEN THE CITY AND CORY FLETCHER FOR PROFESSIONAL GOLF SERVICES AT MAHONEY GOLF COURSE AND CLUBHOUSE FOR A PERIOD FROM MAY 1, 2003 THROUGH APRIL 30, 2006 - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-82028 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the license agreement which is attached hereto, marked as Attachment "A" and made a part hereof by reference, under which Cory Fletcher is granted the privilege of operating all business concessions

and rendering professional golf services at Mahoney Golf Course and Clubhouse for a three year period from May 1, 2003 through April 30, 2006, is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute said license agreement on behalf of the City.

Introduced by Glenn Friendt

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

REAPPOINTING GEORGE HANCOCK TO THE BOARD OF ZONING APPEALS FOR A FIVE-YEAR TERM EXPIRING MAY 2, 2008 - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-82029 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of George Hancock to the Board of Zoning Appeals for a five-year term expiring May 2, 2008 is hereby approved.

Introduced by Glenn Friendt

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

AMENDING THE MAYOR'S AWARD OF EXCELLENCE POLICY TO CHANGE THE LANGUAGE UNDER NOMINATION PROCEDURE AND NOMINATION CRITERIA; TO INCLUDE CLARIFICATION OF TEAM WINNERS FOR MONTHLY AND ANNUAL AWARDS; AND TO CHANGE THE LANGUAGE UNDER MAYOR'S AWARD OF EXCELLENCE COMMITTEE - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-82030 WHEREAS, the Local Government Miscellaneous Expenditure Act authorizes the City Council to reimburse expenses incurred by elected and appointed officials, employees, or volunteers; and

WHEREAS, the City Council adopted a formal policy in Resolution No. A-77093 passed November 27, 1995, which resolution was amended by Resolution No. A-78287 passed August 18, 1997 and Resolution No. A-80161 passed May 1, 2000; and

WHEREAS, this policy governs educational workshops, conferences, training programs, official functions, hearings and meetings, registration fees, mileage, meals and lodging, travel expenditures, recognition dinners, plaques, certificates of achievement, and other miscellaneous expenditures; and

WHEREAS, this policy recognizes the various budget limitations, job assignments, and training needs of departments; and

WHEREAS, this policy needs to be updated to reflect current conditions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That it hereby adopts the following policy governing the expenditure of public funds for payment or reimbursement of actual and necessary expenses incurred by elected and appointed officials, employees, or volunteers.

**I. EXPENSES FOR EDUCATION, TRAINING, OR TRAVEL**

Payment or reimbursement of actual and necessary expenses incurred by elected and appointed officials, employees, or volunteers at educational workshops, conferences, training programs, official functions, hearings, job duties, or meetings whether incurred within or outside of City limits may be reimbursed as herein authorized.

Travel expenses, which are defined as those costs a traveler must pay for conducting City business and which are necessary for the purpose of travel, may be approved by the department head. It is understood that not all expenses are automatically reimbursable even if they are addressed in this resolution. Rather, the reimbursement of expenses may vary between departments and employees within a department as determined by the department head. Nothing herein shall be construed as requiring reimbursement of any meal. Under no circumstances will expenses be reimbursed in excess of those identified in this resolution.

Anyone authorized to travel for the benefit of the City has a responsibility to keep accurate, substantiated cost records, except for meals and tips, and to submit expense statements in accordance with this resolution.

**A. TRANSPORTATION EXPENSES**

The maximum payable transportation allowance for any motor transportation shall not exceed the actual round-trip cost of coach air fares for that particular trip.

1. Air Travel. The latest rates for air travel from the City of Lincoln will be used in calculating all transportation expenses and allowances. Coach fare shall be used. A traveler shall make reservations through a travel agency and charge the tickets to the City of Lincoln; provided, however, a traveler who wishes to take advantage of electronic tickets, shop for the lowest fare on the Internet, or call airlines directly, will be required to personally pay for the tickets and request reimbursement from the City by submitting proper documentation. The City will not advance money for the purchase of airline tickets.

2. Motor Vehicles - Privately Owned. When the use of a private motor vehicle has been authorized, the owner of the vehicle shall be reimbursed at a mileage rate established by the Mayor in Administrative Regulation No. 4 and as the same may be amended from time to time, for the most direct round-trip route between Lincoln and the place visited. This amount shall not exceed the coach round-trip fare to and from that point and shall be documented by a City mileage reimbursement form. When more than one eligible employee performs such travel in an authorized private motor vehicle, only one eligible employee may obtain reimbursement for transportation. Lodging, meals, and other expenses for employees other than the employee receiving mileage are allowable en route to the destination if the cost does not exceed coach airfare.
3. Local Transportation. Local transportation costs, including such costs as airport limousine and taxi fare (including reasonable tips) may be reimbursed. Expenses for rental cars may be reimbursed when the employee's department head has decided that such rental will serve the best interests of the City. Requests for a rental car must be approved in writing in advance of the trip. Car rentals may be authorized when such rental will be cheaper than taxi fares or when the use of the car permits the traveler to accomplish the purpose of the trip in a more efficient manner.
4. Travel by City Owned Vehicle. A traveler may use a City owned vehicle if the employee's department head has decided that such use will serve the best interests of the City. The traveler may be reimbursed for out-of-pocket expenses, such as gasoline, etc. Receipts must be obtained for all out-of-pocket expenses incurred for a City owned vehicle. Use of the City vehicle shall be restricted to City of Lincoln purposes only, and no private passengers shall be authorized.

**B. LIVING EXPENSES**

1. Lodging. Hotel and/or motel lodging should be selected well in advance and should be within a reasonable distance from or at the site of the official meeting place. Reimbursement shall be for a single occupancy rate. Detailed receipts for all lodging costs must be secured.
2. Meals. Individuals traveling on City business will be allowed a daily per diem to cover the cost of meals and tips. The daily per diem amount shall not exceed thirty dollars (\$30.00 - \$7.00 breakfast, \$7.00 lunch, \$16.00 dinner) for most areas in the United States. Other areas in the United States are designated as high-cost areas, qualifying for a daily per diem not to exceed thirty-eight dollars (\$38.00 - \$9.00 breakfast, \$9.00 lunch, \$20.00 dinner). A list of these high-cost areas will be maintained and made available by the City Auditor. The Director will determine whether any reimbursement shall be made and the amount of the reimbursement to be made (not to exceed the maximums set above). The City will not reimburse employees for any meal provided by the conference or airline.
3. Registration Costs. The City will pay in advance, or reimburse an eligible traveler for, the registration fee paid when a receipt for the registration fee is obtained and is included with the travel expense statement. The proper procedure for advance payment of registration is to submit a payment voucher with a copy of the completed registration form or an invoice, payable to the conference, to the Auditor's Office in sufficient time to allow a warrant to be drawn and mailed to the conference prior to the deadline for registration.
4. Miscellaneous Expenses. Telephone expenses will be allowed only when necessary for City purposes. Expenses for tips should be included with the transportation and meal per diem.
5. Disallowance of Expenses. All major expenses including transportation (excluding taxi fares), lodging, and registration fees that are not supported by receipts attached to the travel expense statement may be disallowed

for reimbursement at the discretion of the City Auditor.

**C. TRAVEL APPROVAL**

When a department head decides that a trip for an employee is essential for City business, the department head may approve such travel. When the trip is to be taken by the department head, approval of the Mayor shall be obtained. Department heads shall be required to submit to the Mayor's Office a semi-annual report outlining travel requests which have been approved for department employees during that semi-annual time period. The semi-annual report shall list the department employees who were approved for travel; the purpose of the travel; and the budget impact resulting from the travel approvals.

**D. TRAVEL ADVANCE**

Travel advance for expenses will be granted to approved travelers. When a traveler desires an advance of funds, the department shall submit to the City Auditor, a standard claim form itemizing estimated expenses. No travel advance may be considered prior to approval as set out in Section C. No advance may be considered prior to reconciliation of any prior travel advance.

**E. REIMBURSEMENT PROCEDURES**

**1. Traveler's Processing of Expenditure Statements**

- a. Within ten (10) working days after completion of the authorized travel, the traveler shall complete an itemized travel expense statement, attaching all necessary supporting receipts, and other documentation (noncompliance may result in denial of future advances to an employee). Attached documentation should include at least the following: lodging receipt, auto rental receipt (when authorized by department head), and airline itinerary.
- b. When arrangements are made for airline travel on weekends/Saturdays for purposes of securing lower ticket rates, payment for the hotel and meal costs incurred on the weekend are also authorized as long as the total of the lower airline ticket rate and the weekend hotel/meal costs do not exceed the Sunday/weekday airline ticket costs. It is expected that employees will exercise reasonable judgment to acquire all travel necessities at the lowest reasonable cost to the City. This may include scheduling travel in a way that results in a lower net cost to the City, such as group travel by auto, weekend travel for discount air fares, early ordering of airline tickets for the best discount fares, etc.

**2. Departmental Processing of Travel Statement of Expenditures**

Department heads or their designees shall examine the traveler's expense statements for proper accounting and documentation. They should insure that all necessary supporting documents and/or statements of explanation are attached before signing the travel expense statement.

**3. Finance Department Audit and Payment**

Upon receipt of the request for funds, the Auditor shall perform an audit to insure compliance with this resolution. The City Auditor is authorized to request and receive additional information on any and all expenses.

- a. No Travel Advance Drawn. When no travel advance has been made, upon verification of an expense statement submitted, the City Auditor shall process the payment of funds reimbursing the traveler.
- b. Travel Advance Drawn. When a travel advance has been made and the cost of the trip is less than the amount advanced, the traveler shall return the balance of the funds to the City Auditor within ten (10) working days after completion of travel. Upon verification of the expense statement by the Auditor, a Treasurer's receipt shall be processed to deposit the balance of funds back to the fund from which the original advance was drawn.
- c. Actual Expenses are Equal to Travel Advance. When a travel advance has been made and the actual cost of the trip is equal to the amount of the advance, the procedure outlined in the preceding paragraph (b) shall be followed with the exception that no funds

shall be returned by the traveler.

- d. Actual Expenses are More than Travel Advance. When the travel advance has been made and the actual cost of the trip is more than the amount advanced, then upon approval of the expense statement by the department head and verification by the City Auditor, a warrant shall be issued to the traveler.

II. **PLAQUES AND AWARDS**

A. **The Mayor's Award of Excellence**

The Mayor's Award of Excellence recognizes employees who consistently provide outstanding service and work that demonstrates exemplary personal commitment to the City of Lincoln.

1. **Eligibility:**

All employees are eligible except individuals in the Management Compensation Plan and elected officials. Individuals or teams of employees are eligible for monthly or annual awards. Entire departments, divisions or sections are not eligible as a team.

2. **Nomination Procedure:**

Employees or teams may be nominated by supervisors, contemporaries, subordinates, and the general public. Nominations shall be submitted by completing the Mayor's Award of Excellence Form. Nomination forms will be available from department heads, the City Personnel Office, or employee bulletin boards or at <http://www.ci.lincoln.ne.us/city/person/city/index.htm>. Team nominations should be specific as to each member's involvement. Additional supporting documentation such as correspondence relating to the employee's or team's performance by other City employees may be attached. All nominations must be signed by the employee's or team's department head or appropriate designee. Said signature indicates that the nomination has been validated. Nominations that are not validated must be returned to the person making the nomination within thirty (30) days. All completed nomination forms need to be returned to the City Personnel Office by the fifth (5th) day of the month for the following month's award.

3. **Nomination Criteria:**

Employees or teams may be nominated for the award based on any of the following criteria:

Safety: Practices safety on the job and promotes and encourages others to do the same.

Productivity: Always gives the best of oneself and encourages and promotes co-workers to perform their best.

Loss Prevention: Demonstrates wise use of City resources and makes recommendations that result in substantial savings to the City outside the normal course of expected job functions.

Customer Relations: Represents the City with a positive attitude, takes pride in ones work, and encourages co-workers to do the same.

Valor: Performs an act of bravery, which may include life-saving, above and beyond the call of duty.

Consideration may also be given to nominations that demonstrate that the accomplishment was self-initiated and/or that the accomplishment was outside of the nominee's job description.

4. **Selection Process:**

All validated nominations will be reviewed by the Mayor's Award of Excellence Committee. The committee may select no more than one (1) individual or team based on the selection criteria. Nominees will be eligible for three (3) months. Employees or teams will not be able to receive the monthly award more than once in any consecutive twelve (12) months. If a member of a new team has been previously selected for a monthly award, it will not nullify the team's eligibility to win an award. However, a previous winner cannot receive the



monetary award and day off but still can be recognized. The Mayor's Monthly Award of Excellence may be presented every month and the Mayor's Annual Award of Excellence will be presented once every calendar year. An employee or team does not have to receive the Monthly Award to be eligible for the Mayor's Annual Award of Excellence.

5. **Award Recognition:**

All individuals/teams nominated will receive a letter and certificate. All individual monthly winners and team winners (five or less members) will be presented a one hundred dollar (\$100) U.S. Savings Bond (cost fifty dollars (\$50)), one day off with pay, and a plaque not to exceed a cost of fifty dollars (\$50). In the event team winners have greater than five members, there will be no monetary award; however, the team members will each receive one day off with pay and a plaque not to exceed a cost of fifty dollars (\$50). The Mayor's Annual Award of Excellence Recipient will receive a five hundred dollar (\$500) U.S. Savings Bond (cost of two hundred fifty dollars (\$250)), two (2) days off with pay, and a plaque not to exceed a cost of one hundred dollars (\$100). When the annual award recipient is a team (five or less members), the \$500 savings bond will be divided equally among members. When it is impossible to divide the bond equally due to purchase increment issue price, the division will be made as close to the \$250 purchase price as possible, without going over. In the event the team winners have greater than five members, there will be no monetary award. Each team member will receive two days off with pay and a plaque not to exceed a cost of \$100. ~~All awards will be presented before the City Council.~~ The Mayor's Annual Award of Excellence committee may recommend Annual Honorable Mention Recipients who would receive a plaque not to exceed a cost of fifty dollars (\$50). Recommendations for the annual award will be forwarded to the Mayor for consideration and approval. All awards will be presented before the City Council. All monetary awards will be considered compensation and subject to normal withholding and all applicable IRS regulations.

6. **Mayor's Award of Excellence Committee:**

The committee is made up of one (1) representative from each union, and a non-union representative appointed by the Mayor. Representatives will be appointed by September thirtieth (30th) of each year. The term of the committee members will be for two (2) years. If a committee member is unable to complete his/her term, another appointee will finish the term. Three consecutive absences or four (4) absences in a calendar year will result in notification ~~of~~ to the respective bargaining unit.

7. **Administration:**

- a. The Personnel Department will oversee the Mayor's Award of Excellence Program.
- b. The City reserves the right to rescind this policy at any time.
- c. This program should not be interpreted as a negotiable item.
- d. The costs incurred to purchase a U.S. Savings Bond and to fund the day(s) off with pay will be charged to the employee's department budget.
- e. The costs incurred to purchase the plaques and awards and other expenditures will be charged to the Personnel Department budget.
- f. An individual or team winner will be chosen every month by the Mayor's Award of Excellence Committee when three or more members are present.

B. **Other Plaques and Awards**

Employees, appointed officials, and volunteers may be given plaques, certificates of achievement, or items of value provided the cost shall not exceed one hundred dollars (\$100.00) in value, notwithstanding mandated recognition under federal volunteer programs. Such awards shall recognize outstanding service and must be approved in advance by the employee's department head, the Mayor, or by the City Council. Such awards recognizing safety achievements must be approved

in advance by the safety committee.

**III. MISCELLANEOUS**

**A. Employee Appreciation - Development Days**

Within each calendar year, all departments may conduct an employee development-appreciation day for the purpose of education, planning, and department betterment.

**B. Recognition Dinners/Meals**

Each year recognition dinners/meals may be held for elected and appointed officials, employees, or volunteers of the local government. The maximum cost per person for such dinner shall not exceed twenty-five dollars (\$25.00). An annual recognition dinner/meal may be held separately for employees of each department or separately for volunteers or any of them in combination.

**C. Expenses of Spouses**

Nothing in this resolution shall authorize the expenditure of funds to pay for any expenses incurred by the spouse of an elected or appointed official, employee, or volunteer unless the spouse is also an elected or appointed official, employee, or volunteer of the local government and such expenditure has been authorized as set out herein.

**E. Meals for Council Members**

Authorized expenditures shall not include expenditures for meals of paid members of the City Council while attending a public meeting of the Council unless it is a joint meeting with one or more other governing bodies.

BE IT FURTHER RESOLVED that Resolution No. A-80161 passed by the City Council on May 1, 2000 as hitherto existing, be and the same is hereby repealed.

Introduced by Glenn Friendt

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SPECIAL PERMIT 1672A - APPLICATION OF SPRINT PCS TO WAIVE THE LANDSCAPE REQUIREMENT ON THE NORTH AND EAST SIDES OF A BROADCAST TOWER AT THE NORTH FORTY GOLF COURSE, ON PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF NORTH 84TH STREET AND ADAMS STREET - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-82031 WHEREAS, Sprint PCS has submitted an application designated as Special Permit No. 1672A to waive the landscaping requirement on the north and east sides of the base of a broadcast tower on property located at the North Forty Golf Course, generally located southwest of the intersection of North 84th and Adams Streets, and legally described to wit:

Lot 85 I.T., located in the Northeast Quarter of  
Section 15, Township 10 North, Range 7 East, Lincoln,  
Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this broadcast tower will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of Sprint PCS, hereinafter referred to as "Permittee", to waive the landscaping requirement on the north and east sides of the base of the broadcast tower, on the property legally described above, be and the same is hereby granted under the provisions of Section 27.63.150 of the Lincoln Municipal Code upon condition that installation of said broadcast tower be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a waiver of the required landscaping at the north and east sides of the base of the wireless telecommunications tower, provided that the landscaping is placed north of the parking lot, adjacent to Adams Street.

2. Before operating this tower, all development and construction must conform to the approved plans.

3. All privately-owned improvements, including landscaping, are to be permanently maintained by the Permittee.

4. The operation must meet appropriate state and federal

licensing requirements.

5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, locations of parking and circulation elements, and similar matters.

6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

7. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

8. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however, all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Introduced by Glenn Friendt

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF ST. THOMAS AQUINAS CHURCH/NEWMAN CENTER FOR ONE RAFFLE AND FIVE LOTTERY PERMITS FOR THE FOLLOWING TIMES: JUNE 1, 2003 TO AUGUST 31, 2003 (RAFFLE); OCTOBER 1, 2003 TO OCTOBER 31, 2003; NOVEMBER 1, 2003 TO NOVEMBER 30, 2003; DECEMBER 1, 2003 TO DECEMBER 31, 2003; JANUARY 1, 2004 TO JANUARY 31, 2004; FEBRUARY 1, 2004 TO FEBRUARY 28, 2004; (LOTTERIES) - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-82032 WHEREAS, St. Thomas Aquinas Church/Newman Center has made application for a permit to conduct five lotteries and one raffle in the City of Lincoln pursuant to Chapter 9.32 of the Lincoln Municipal Code; and

WHEREAS, said application complies with all of the requirements of Section 9.32.030 of the Lincoln Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That, after public hearing duly had as required by Section 9.32.050 of the Lincoln Municipal Code, the City Council does hereby grant a permit to St. Thomas Aquinas Church/Newman Center to conduct five lotteries and one raffle in the City of Lincoln in accordance with the application filed by Fr. Robert A. Matya. The City Clerk is directed to issue a permit upon the payment by the applicant of the required fee, said permit to be valid only for the specific lotteries and raffles described in said application and only for a period of one year from the date of approval of this resolution. Said permit shall be subject to all of the conditions and requirements of Chapter 9.32 of the Lincoln Municipal Code.

BE IT FURTHER RESOLVED that pursuant to Section 9.32.080 of the Lincoln Municipal Code, a tax of 5% is imposed upon the gross proceeds received from the sale of lottery and raffle chances or tickets within the City of Lincoln, which tax shall be due no later than sixty (60) days after the conclusion of each lottery or raffle to be conducted hereunder, and if unpaid at that time, shall thereafter be delinquent.

Introduced by Glenn Friendt

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, APRIL 21, 2003 AT 5:30 P.M FOR APP. OF BAG N SAVE INC. DBA "BAG N SAVE" FOR A CLASS "D" LIQUOR LICENSE AT 4615 VINE STREET - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-82033 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., April 21, 2003, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, NE, for the App. of Bag N Save, Inc. dba "Bag N Save" for a Class "D" liquor license at 4615 Vine Street.

If the Police Dep. is unable to complete the investigation by said time a new hearing date will be set.

Introduced by Glenn Friendt

Seconded by Svoboda & carried by the following vote: AYES: Camp,

Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, APRIL 21, 2003 AT 5:30 P.M. FOR APP. OF DMACK, INC. DBA "LEGENDS" FOR A CLASS "C" LIQUOR LICENSE AT 8300 NORTHWOODS DR. - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-82034 BE IT RESOLVED by the City Council of the City of Lincoln, that a hearing date is hereby set for Mon., April 21, 2003, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, NE, for the App. of Dmacks, Inc. dba "Legends" a Class "C" liquor license at 8300 Northwoods Dr.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Glenn Friendt

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING THE HEARING DATE OF APRIL 21, 2003 AT 5:30 P.M. FOR APPLICATION OF DENIS VONTZ DBA "HIGHLANDS GOLF COURSE" FOR AN UPGRADE FROM CLASS J TO CLASS I LIQUOR LICENSE AT 5501 NW 12<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-82035 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., April 21, 2003, at 5:30 p.m., or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, NE, for the App. of Denis Vontz dba "Highlands Golf Course" for an upgrade from Class "J" liquor license to a Class "I" liquor license at 5501 NW 12<sup>th</sup> Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Glenn Friendt

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

#### PETITIONS & COMMUNICATIONS

THE FOLLOWING WERE REFERRED TO PLANNING DEPT.:

Change of Zone 3402 - App. of Dr. Dale Capek from an R-2 to O-2 at 48<sup>th</sup> & F Street.

Pre-Existing Use Permit 3AB - App. of Westfield Shopping Town

Gateway to change sign locations & signs due to name change at 6100 O Street.

FORMAL PETITION FOR ORNAMENTAL LIGHTING DISTRICT 286 AT 27<sup>TH</sup> STREET TO 20<sup>TH</sup> STREET AND VAN DORN STREET TO HIGH STREET SUBMITTED BY ALAN HERGENRADER, JACKIE MUIR, WILLIAM M. & DEBRA K. GRAUER, & MICHAELNE B. & STEVEN R. SORENSEN - CLERK presented said petition which was referred to the Law Dept.

#### REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED BY COUNCIL ON MARCH 31, 2003 - CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS FROM MARCH 24 THROUGH 28, 2003 - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-82036 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of attachments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Glenn Friendt

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

REPORT OF CITY TREASURER OF TELECOMMUNICATIONS OCCUPATION TAX FOR THE MONTH OF FEBRUARY: ALLTEL COMM. OF NEBRASKA, MCI WORLDCOM, SPRINT COMM., XO LONG DISTANCE SERVICES, QWEST, TELIGENT, TRAC FONE WIRELESS, MCLEOD USA, ACN COMM., ONSTAR, PRIMUS, BROADWING, TRANS NATIONAL, VIRGIN MOBILE USA, TOUCH AMERICA, GLOBAL CROSSING, SHAFFER, WORLDXCHANGE, TELCO DEV., EXCEL, WORKING ASSETS FUNDING SERVICE, AT&T COMM. OF MIDWEST, CRICKET, NORSTAN NETWORK, I-LINK, BIG PLANET, NETWORK BILLING SYSTEMS - CLERK

presented said report which was placed on file in the Office of the City Clerk. (20)

LINCOLN WATER & WASTEWATER SYSTEM RECAPITULATION OF DAILY CASH RECEIPTS FOR MARCH 2003 - CLERK presented said report which was placed on file in the Office of the City Clerk. (8-71)

**ORDINANCES - 1<sup>ST</sup> READING**

VACATING THE NORTH-SOUTH ALLEY FROM THE NORTH LINE OF VACATED HATCH STREET RUNNING NORTHWESTERLY BETWEEN LOT 18, BLOCK 33, WRINGTON ADDITION, AND LOT 146 I.T., IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 10 NORTH, RANGE 6 EAST, GENERALLY LOCATED AT 7TH AND VACATED HATCH STREETS - CLERK read an ordinance, introduced by Glenn Friendt, vacating the north-south alley from the north line of vacated Hatch Street running northwesterly between Lot 18, Block 22, Wrington Addition, and Lot 146 I.T.; in the Southeast Quarter of Section 35, Township 10 North, Range 6 East of the 6<sup>th</sup> P.M., and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

VACATING WEST M STREET FROM THE WEST LINE OF SOUTH CODDINGTON AVENUE TO ITS TERMINATION, APPROXIMATELY 300 FEET WEST OF THE WEST LINE OF SOUTH CODDINGTON AVENUE - CLERK read an ordinance, introduced by Glenn Friendt, vacating West M Street from the west line of South Coddington Avenue westerly to its termination, approximately 300 feet west of the west line of South Coddington Avenue and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

**ORDINANCES - 3RD READING**

CREATING PAVING DIST. 2626 IN W. SOUTH ST., S.W. 23RD ST. TO S.W. 27TH ST., S.W. 27TH ST. FROM W. SOUTH ST. TO W. A ST. & ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY - PRIOR to reading:

SENG Moved to amend Bill No. 03-41 on page 2, line 12, after the word thereof, add the following language: provided, however, that such special assessments shall be paid out of the CDBG Special Assessment Paving Program funds for property owners earning at or below 50% of the City's median income.

Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CLERK read the following ordinance, introduced by Terry Werner, creating paving district 2626 in W. S. St., S.W. 23<sup>RD</sup> St. to S.W. 27<sup>th</sup> St., S.W.

27<sup>th</sup> St. from W. S. St. to W. A St. & assessing the costs thereof against the benefitted property, the third time

WERNER Moved to pass the ordinance as amended.

Seconded by Svoboda & carried by the following vote: AYES: Cook, Friendt, McRoy, Seng, Svoboda; NAYS: Camp, Werner.

The ordinance, being numbered #18153, is recorded in Ordinance Book 25, Page

CREATING RE-PAVING DIST. 156 IN S. CODDINGTON AVE., W. O ST. SOUTH APPROX. 1200 FEET & ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY - PRIOR to reading:

CAMP Moved to delay action on Bill No. 03-42 for one week to 4/14/03.

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Svoboda; NAYS: Friendt, McRoy, Seng, Werner.

CLERK read the following ordinance, introduced by Terry Werner, creating Re-paving Dist. 156 in S. Coddington Ave., W. O St. south approx. 1200 feet and assessing the costs thereof against the benefitted property, the third time

WERNER Moved to pass the ordinance as read.

Seconded by Seng & carried by the following vote: AYES: Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: Camp.

The ordinance, being numbered #18154, is recorded in Ordinance Book 25, Page

CREATING GRADING DIST. 151 IN THE EAST/WEST ALLEY, N. 69TH TO N. 70TH STS., X ST. TO Y ST., & ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read the following ordinance, introduced by Terry Werner, creating grading dist. 151 in the east/west alley, N. 69<sup>th</sup> to N.

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70<sup>th</sup> Sts., X St to Y St., & assessing the costs thereof against the benefitted property, the third time.  
WERNER Moved to pass the ordinance as read.  
Seconded by Seng & **LOST** by the following vote: AYES: Friendt;  
NAYS: Camp, Cook, McRoy, Seng, Svoboda, Werner .  
The ordinance, having **LOST**, was assigned File #38-4440, & was placed on file in the Office of the City Clerk.

CREATING GRAVELING DIST. 340 IN THE EAST/WEST ALLEY, N. 69TH TO N. 70TH ST., X ST. TO Y ST., & ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read the following ordinance, introduced by Terry Werner, creating graveling dist. 340 in the east/west alley, N. 69<sup>th</sup> to N. 70<sup>th</sup> St., X St. to Y St., & assessing the costs thereof against the benefitted property, the third time.  
WERNER Moved to pass the ordinance as read.  
Seconded by Seng & **LOST** the following vote: AYES: None; NAYS: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner.  
The ordinance, having **LOST**, was assigned File #38-4441, & was placed on file in the Office of the City Clerk.

RENAMING S. 30TH ST. BETWEEN O'HANLON DR. & GRAINGER PARKWAY AS "LAYTONJOHN LANE." - CLERK read the following ordinance, introduced by Terry Werner, renaming S. 30<sup>th</sup> St. between O'Hanlon Dr. & Grainger Parkway as "LaytonJohn Lane", the third time.  
WERNER Moved to pass the ordinance as read.  
Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.  
The ordinance, being numbered #18155, is recorded in Ordinance Book 25, Page

APPROVING A THREE-YEAR/5,000 HOUR LEASE AGREEMENT BETWEEN THE CITY & ELGIN SWEEPER COMPANY TO PROVIDE A FOUR-WHEELED STREET SWEEPER FOR SWEEPING OF RESIDENTIAL & ARTERIAL STREETS - CLERK read the following ordinance, introduced by Terry Werner, approving a three-year/5,000 hour lease agreement between the City and Elgin Sweeper Company to provide a four-wheeled street sweeper for sweeping of residential and arterial streets, the third time.  
WERNER Moved to pass the ordinance as read.  
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.  
The ordinance, being numbered #18156, is recorded in Ordinance Book 25, Page

AMENDING CHAPTER 9.24 OF THE LINCOLN MUNICIPAL CODE TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON CONVICTED OF VIOLATING SPECIFIED STATE AND LOCAL THEFT OFFENSES TWICE WITHIN TEN YEARS TO PAWN OR SELL ANY PROPERTY TO A PAWNBROKER OR SECOND-HAND JEWELRY DEALER WITHIN THE CITY OF LINCOLN - PRIOR to reading:

WERNER Moved to amend Bill No. 03-48 in the following manner:  
1. On page 1 line 11 delete the word "ten" and insert in lieu thereof the word five.  
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.  
CLERK read the following ordinance, introduced by Terry Werner, amending Chapter 9.24 of the Lincoln Municipal Code to provide that it shall be unlawful for any person convicted of violating specified state and local theft offenses twice within ~~ten~~ five years to pawn or sell any property to a pawnbroker or second-hand jewelry dealer within the City of Lincoln, the third time.  
WERNER Moved to pass the ordinance as amended.  
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.  
The ordinance, being numbered #18157, is recorded in Ordinance Book 25, Page

AMENDING CHAPTER 9.36 OF THE LINCOLN MUNICIPAL CODE RELATING TO WEAPONS TO MAKE IT UNLAWFUL FOR ANY PERSON TO POSSESS A FIREARM WITHIN THE CORPORATE LIMITS OR ON ANY PROPERTY OF THE CITY OF LINCOLN OUTSIDE THE CORPORATE LIMITS WHEN THAT PERSON HAS BEEN CONVICTED OF VIOLATING SPECIFIED STATE AND LOCAL OFFENSES WITHIN TEN YEARS; TO MAKE IT UNLAWFUL FOR ANY PERSON TO KEEP A FIREARM IN AN UNATTENDED MOTOR VEHICLE; AND TO PROVIDE A DEFINITION FOR THE TERM "FIREARM" - PRIOR to reading:

WERNER Moved to amend Bill No. 03-49 in the following manner:  
1. On page 2, delete lines 3 through 6.  
2. On page 2, delete "9.08.020" from line 7.  
Seconded by Seng & **LOST** by the following vote: AYES: Cook, Werner;  
NAYS: Camp, Friendt, McRoy, Seng, Svoboda.  
CLERK read the following ordinance, introduced by Terry Werner, amending  
Chapter 9.36 of the Lincoln Municipal Code relating to weapons to make  
it unlawful for any person to possess a firearm within the corporate  
limits or on any property of the City of Lincoln outside the corporate  
limits when that person has been convicted of violating specified state  
and local offenses within ten years; to make it unlawful for any person  
to keep a firearm in an unattended motor vehicle; and to provide a  
definition for the term "firearm", the third time.  
WERNER Move to pass the ordinance as read.  
Seconded by Seng & carried by the following vote: AYES: Camp,  
Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.  
The ordinance, being numbered **#18158**, is recorded in Ordinance Book 25, Page

**MISCELLANEOUS BUSINESS**

**PENDING -**

CAMP Moved to extend the Pending List to April 14, 2003.  
Seconded by Seng & carried by the following vote: AYES: Camp,  
Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

**UPCOMING RESOLUTIONS -**

CAMP Moved to approve the resolutions to have Public Hearing on  
April 14, 2003.  
Seconded by Seng & carried by the following vote: AYES: Camp,  
Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

**ADJOURNMENT**

**2:45 P.M.**

CAMP Moved to adjourn the City Council meeting of April 7, 2003.  
Seconded by Seng & carried by the following vote: AYES: Camp,  
Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.  
So ordered.

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Joan Ross, City Clerk

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Judy Roscoe, Senior Office Assistant

